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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

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29 JAN 1975

The Honorable John D. Ehrlichman
Assistant to the President
for Domestic Affairs
The White House
Washington, D. C. 20500

Dear John:

I have your letter of January 8th concerning the problems which have developed in connection with the Associated Press request for the declassification of certain classified CIA documents relating to the Guatemalan incident of 1954. I have pondered long and hard some of the fundamental issues involved here. I shall set forth the rationale for our position in hopes of convincing you of the necessity for the action we have taken.

There are two major aspects of handling our information under the Executive Order. The first is the source-and-method problem, which is unique to the intelligence field in Government and for which I have a statutory responsibility. This problem is specifically recognized in the Executive Order. The other aspect is the classification of information based on its content under the other criteria of the Executive Order.

The source-and-method problem is fundamental to the effective operation of an intelligence activity. It recognizes that a fiduciary relationship is established between a source and the Agency. The Agency's general reputation for respecting such fiduciary relationships is essential to any hope of recruiting new sources and exchanging sensitive material with foreign intelligence

services whose history and secrecy have endured for centuries. The content of the information involved is not of primary concern, as it well may be innocuous in itself, but if it reveals the source protection must be provided." To give an example, you will recall that Penkovskiy was the source of some of the critical information involved in the Cuban missile crisis. Some of the information he passed on was comparatively innocuous, but insofar as it would tend to reveal him as the source it would have to be protected as closely as the most sensitive information he provided. Penkovskiy was, of course, eventually detected and arrested and thereby exposed. But, in the many other cases where there is no such detection the protection must continue.

The same is true of methods. Scientific and technological means of obtaining information if revealed would lead to counter-measures which will shut off the flow. Therefore, even though some of the information involved is in itself innocuous, if it tends to reveal the method by which it is obtained it must be protected.

The above is the basis on which the various reviews by Agency staff personnel of the material requested by the Associated Press reached the conclusion that the documents could not be declassified, and having myself reviewed the material I support their conclusion. I see no conflict herein with the Executive Order, which specifically recognizes the need for such protection. "The reason I am reluctant to submit the papers to the ICRC is that any indication that an intelligence agency can be forced to reveal its sources and methods to outside review seriously reduces the confidence of those current and future sources and liaison relationships that are essential to the intelligence function."

As to the problem of classification of information based on its content under the other criteria of the Executive Order, we have a very different problem, but here also we see no conflict with the Executive Order. This has to do with reports or other intelligence material where we have been able to eliminate the source-and-method problem. In other words, the information can be so presented that the confidential sources and methods involved are not revealed. Here then we apply the other criteria of the Executive Order having to do with national security, or international relations, or whatever.

Of the material that cannot be declassified, a great deal is a mixture of sensitive items with comparatively innocuous information. It is almost a practical impossibility to engage in a sentence-by-sentence or phrase-by-phrase release of such material, and the result would lack any real utility. We are currently examining the possibility of developing sanitized accounts of major events in which CIA played a prominent role in past years, in order to account for this role publicly but still protect the intelligence sources and methods involved and information of a continuing sensitive nature. This unfortunately will take time and personnel and can only be a gradual process, but we believe the usefulness of such accounts to historians and others warrants the commitment of resources to the effort.

Some material can be declassified and we recently sent John Eisenhower a report and samples of a quantity of material regularly produced in unclassified form directly by CIA or made available for public use through some intermediate sponsor. This is a continuing effort to be as forthcoming as possible with intelligence material that can be made available for public consumption and is, I believe, completely responsive to the intent of Executive Order 11652.

I believe that basically we all have the same interests at heart, and hope I have provided you with a basis for resolving the current problems we are considering together. And, of course, I am willing to discuss this with you at any time.

Sincerely,

Richard Helms

Richard Helms
Director

OGC:RHL:sin (24 Jan 73)
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3

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